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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com

Office Action Summary

Application No.

10/688,039

Applicant(s)

CROSSGROVE ET AL.

Examiner

MATTHEW ZIMMERMAN

Art Unit

3625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-10, 12-20, 22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-10, 12-20, 22-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Claims 1-5, 7-10, 12-20, 22-23 have been examined.
2. Claims 6, 11, 21 have been cancelled.
3. Claims 1, 9, 16 have been amended.

Examiner Comments

4. In the prior Office action mailed 08/04/2010 the Examiner twice rejected the independent claims and the rationale for such was stated in the response to arguments section in that action. At present, the independent claims still stand twice rejected.

1st Rejection of Independent Claims 1, 9, and 16

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 7-8, 16-19, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (US 2002/0055878) in view of Klatt (US 6,415,277) in further view of Alvin (US 7,139,731).**

Referring to claim 1, Burton teaches a system for maintaining item requests, comprising:

- at least one computer device (*see Burton Fig. 1-3*) comprising:
 - a queue system for inserting any failed requests into a failed request queue (*see Burton Fig. 81; ¶0456 lines 1-5, 17-20, orders that are problematic are inserted into an attention item list*);
 - a view presentation system for presenting an administrator with a view of the failed request queue, the view including an identification of a request that failed and a reason for the failure (*see Burton Fig. 81, ¶0367, and ¶0456, the system displays the attention items 4112 to the user using HTTP and HTML*);
 - a data presentation system for displaying data, distinct from the failed request queue (*see Burton Fig. 86 and ¶0456, the system also displays attention items which are not problematic*), corresponding to user-initiated item requests to an administrator (*see Burton Figs. 81, 86*), wherein the data presentation system accesses a set of tables to obtain the data (*see Burton ¶0456*), and wherein the set of tables includes a party table that identifies suppliers suggested by users issuing the user-initiated item requests for fulfilling the user-initiated item requests, the displayed data including at least one identified supplier (*see Burton Figs. 81, 86, the supplier is the restaurant selected by the user*);

- a data edit system for allowing the administrator to edit the data corresponding to the user-initiated item requests (*see Burton ¶0138, lines 5-8*);
- wherein the view of the failed request queue and the data are presented separately to the administrator in separate views within a single window without opening multiple windows (*see Burton Figs. 81, 86; see ¶0456 lines 1-5, 17-20*).

Burton does not explicitly disclose where the requests could also be system-initiated requests. However, Klatt does (*see Klatt Abstract lines 1-5; Figs. 13-14*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these methods because enabling the system for maintaining item requests to also handle system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

While the combination of Buton and Klatt teach inserting problematic (failed) orders (requests) into a list of attention items (a failed request queue), the combination does not explicitly teach why the orders are problematic. Specifically, the combination does not teach wherein these failed requests failed due to an error in processing of the order. However, in an analogous art, Alvin teaches this (*see Alvin Col. 10 lines 48-56*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would reduce errors and save time and money. Specifically, flagging errors at all stages of the order processing will enable pinpointing

why something failed and allow for corrective action to prevent such errors in the future, thus saving time and money.

The Examiner finds that the descriptive material recited in the limitation “the view including an identification of a request that failed and a reason for the failure” is non-functional and does not distinguish the claimed invention over the prior art. The data comprising “an identification of a request that failed and a reason for the failure” does not in any way functionally affect the claimed steps of “presenting a view” and the prior art of Burton and Klatt are capable of meeting this limitation *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994), MPEP 2016.01.

Referring to claim 2, the combination discloses the system of claim 1, further disclosing wherein the set of tables further includes a header level text table that identifies business justifications set forth by the users for approving the user-initiated item requests (*see Burton Fig. 81 and 86, an order – the Examiner notes that a business justification for an order is the order itself and Burton teaches a list of orders*).

Referring to claim 3, the combination discloses the system of claim 1, further disclosing a request reception system for receiving the user-initiated item requests from the users (*see Burton ¶0133 line 4*) and the system-initiated item requests from at least one external system (*see Burton Fig. 2 items 112-113; ¶0124 lines 1-2*), wherein the request reception system further populates the set of tables using data from the user-initiated item requests and the system-initiated item requests (*see Burton ¶0268*).

Referring to claim 4, the combination discloses the system of claim 1, further disclosing a request processing system for assigning approvers (*see Burton Fig. 62*)

and suppliers (*see Burton Fig. 36, a user selects a supplier restaurant*) to the user-initiated item requests and the system-initiated item requests. Regarding, assigning of approvers, Burton teaches a user approving a transaction (*see Burton Fig. 62 "Confirm your order", "SUBMIT"*) and after the user approves the order the system assigns the user to the order via an order number (*see Burton Fig. 86*).

Referring to claim 7, the combination discloses the system of claim 1, further disclosing wherein the administrator is a global administrator (*see Burton Fig. 103 and ¶0494, there are many administrators with many different permission levels*).

Referring to claim 8, the combination discloses the system of claim 1, further disclosing wherein the view presentation system further provides a country administrator (*see Burton Fig. 103 and ¶0494, there are many administrators with many different permission levels*) with the view of the failed request queue (*see Burton Figs. 81, 86*), and wherein the data presentation system further displays the data corresponding to the system-initiated item requests and the user-initiated item requests to the country administrator (*see Burton Figs. 81, 86*).

Referring to claim 16, Burton teaches a program product stored on a non-transitory computer readable medium for maintaining item requests, which when executed comprises, comprising:

- program code for inserting any failed system-initiated item requests into a failed request queue (*see Burton Fig. 81; ¶0456 lines 1-5, 17-20, orders that are problematic are inserted into an attention item list*);

- program code for presenting an administrator with a view of the failed request queue, the view including an identification of a request that failed and a reason for the failure (*see Burton Fig. 81, ¶0367, and ¶0456, the system displays the attention items 4112 to the user using HTTP and HTML*);
- program code for displaying data, distinct from the failed request queue (*see Burton Fig. 86 and ¶0456, the system also displays attention items which are not problematic*), corresponding to user-initiated item requests to an administrator (*see Burton Figs. 81, 86*), wherein the program code for displaying accesses a set of tables to obtain the data (*see Burton ¶0456*), and wherein the set of tables includes a party table that identifies suppliers suggested by users issuing the user-initiated item requests for fulfilling the user-initiated item requests, the displayed data including at least one identified supplier (*see Burton Figs. 81, 86, the supplier is the restaurant selected by the user*);
- program code for allowing the administrator to edit the data corresponding to the system-initiated item requests and the user-initiated item requests (*see Burton ¶0138, lines 5-8*);
- wherein the view of the failed request queue and the data are presented to the administrator in separate views within a single window without opening multiple browser (*see Burton Figs. 81, 86; see ¶0456 lines 1-5, 17-20*).

Burton does not explicitly disclose where the requests could also be system-initiated requests. However, Klatt does (*see Klatt Abstract lines 1-5; Figs. 13-14*). It would have

been obvious to combine these methods at the time of invention because enabling the system for maintaining item requests to also handle system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

While the combination of Buton and Klatt teach inserting problematic (failed) orders (requests) into a list of attention items (a failed request queue), the combination does not explicitly teach why the orders are problematic. Specifically, the combination does not teach wherein these failed requests failed due to an error in processing of the order. However, in an analogous art, Alvin teaches this (*see Alvin Col. 10 lines 48-56*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would reduce errors and save time and money. Specifically, flagging errors at all stages of the order processing will enable pinpointing why something failed and allow for corrective action to prevent such errors in the future, thus saving time and money.

The Examiner finds that the descriptive material recited in the limitation "the view including an identification of a request that failed and a reason for the failure" is non-functional and does not distinguish the claimed invention over the prior art. The data comprising "an identification of a request that failed and a reason for the failure" does not in any way functionally affect the claimed steps of "presenting a view" and the prior art of Burton and Klatt are capable of meeting this limitation *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994). MPEP 2016.01.

Referring to claims 17-19 and 22-23, these claims are similar to claims 2-4 and 7-8 and are rejected for the same reasons and rationale as claims 2-4 and 7-8.

7. **Claims 5, 9-10, 12-15, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (US 2002/0055878) and Klatt (US 6,415,277) in further view of Joseph (US 6,606,603) in further view of Alvin (US 7,139,731).**

Referring to claim 5, the combination discloses the system of claim 4, further disclosing wherein the processing system processes the system-initiated requests differently from user-initiated item requests (*see Burton Fig. 4 item 168 which is different from Klatt Fig. 13-14*). The combination does not explicitly teach wherein the requests are processed in batch mode. However, in an analogous art, Joseph teaches wherein requests are processed in batch mode (*see Joseph Col. 7 lines 4-11*). It would have been obvious to one of ordinary skill in the art at the time of invention to batch process the data because it would save processing time which would result in saving money.

Referring to claim 9, Burton teaches a computer-implemented method for maintaining item requests, executed on a computer device, the method comprising:

- receiving, on the computer device, a user-initiated item request (*see Burton ¶0133*), wherein the user-initiated item request identifies a supplier for fulfilling the user-initiated item request (*see Burton ¶0133 line 6*);

Burton does not explicitly disclose where the requests may also be system-initiated requests. However, Klatt does (*see Klatt Abstract lines 1-5; Figs. 13-14*). It would have been obvious to combine these methods at the time of invention because enabling the system for maintaining item requests to also handle system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

The combination further teaches:

- processing, on the computer device, the user-initiated item request and the system-initiated request (*see Burton Fig. 4 items 168, 170, 184*), wherein the system-initiated item request is processed differently from user-initiated item requests (*see Burton Fig. 4 item 168 which is different from Klatt Fig. 13-14*);
- inserting, on the computer device, the system-initiated item request into a failed request queue (*see Burton Fig. 81; ¶0456 lines 1-5, 17-20, orders that are problematic are inserted into an attention item list*);
- presenting, on the computer device, an administrator with a view of the failed request queue upon request, the view including an identification of a system-initiated request that failed and a reason for the failure (*see Burton Fig. 81, ¶0367, and ¶0456, the system displays the attention items 4112 to the user using HTTP and HTML*);
- accessing, on the computer device, a set of tables to display data, distinct from the failed request queue (*see Burton Fig. 86 and ¶0456, the system also displays attention items which are not problematic*), corresponding to the system-initiated item request and user-initiated item request to the administrator (*see Burton Figs. 81, 86*), wherein the set of tables accessed includes a party table that identifies the supplier, the displayed data including at least one identified supplier (*see Burton Figs. 81, 86, the supplier is the restaurant selected by the user*);
- wherein the view of the failed request queue and the data are presented separately to the administrator in separate views within a single window

without opening multiple windows (*see Burton Figs. 81, 86; see ¶¶0456 lines 1-5, 17-20*).

The combination does not explicitly teach wherein the requests are processed in batch mode. However, in an analogous art, Joseph teaches wherein requests are processed in batch mode (*see Joseph Col. 7 lines 4-11*). It would have been obvious to one of ordinary skill in the art at the time of invention to batch process the data because it would save processing time which would result in saving money.

While the combination of Buton, Klatt, and Joseph teach inserting problematic (failed) orders (requests) into a list of attention items (a failed request queue), the combination does not explicitly teach why the orders are problematic. Specifically, the combination does not teach wherein these failed requests failed due to an error in processing of the order. However, in an analogous art, Alvin teaches this (*see Alvin Col. 10 lines 48-56*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would reduce errors and save time and money. Specifically, flagging errors at all stages of the order processing will enable pinpointing why something failed and allow for corrective action to prevent such errors in the future, thus saving time and money.

The Examiner finds that the descriptive material recited in the limitation "the view including an identification of a request that failed and a reason for the failure" is non-functional and does not distinguish the claimed invention over the prior art. The data comprising "an identification of a request that failed and a reason for the failure" does not in any way functionally affect the claimed steps of "presenting a view" and the prior

art of Burton and Klatt are capable of meeting this limitation In re Ngai, 70 USPQ2d (Fed. Cir. 2004), In re Lowry, 32 USPQ2d 1031 (Fed. Cir. 1994). MPEP 2016.01.

Referring to claim 10, the combination discloses the method of claim 9, further disclosing a method for assigning approvers (see Burton Fig. 62) and suppliers (see Burton Fig. 36, a user selects a supplier restaurant) to the user-initiated item requests and the system-initiated item requests. Regarding, assigning of approvers, Burton teaches a user approving a transaction (Fig. 62 "Confirm your order", "SUBMIT") and after the user *approves* the order the system assigns the user to the order via an order number (Fig. 86).

Referring to claim 12, the combination discloses the method of claim 9, further disclosing wherein the administrator is a global administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494).

Referring to claim 13, the combination discloses the method of claim 12, further disclosing providing the global administrator with the capability to edit displayed data (see Burton ¶0138, lines 5-8).

Referring to claim 14, the combination discloses the method of claim 9, further disclosing wherein the administrator is a country administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494).

Referring to claim 15, the combination discloses the method of claim 9, further disclosing wherein the user-initiated item request further includes a business justification for approving the user-initiated item request (a business justification for an order is the order itself) (see Burton ¶0102, lines 3-4), and wherein the set of tables

accessed to display the data further includes a header level text table (see Burton Fig. 35, item 2016).

Referring to claim 20, the combination discloses the program product of claim 19, further disclosing wherein the program code for processing processes the system-initiated requests differently from user-initiated item requests (see Burton Fig. 4 item 168 which is different from Klatt Fig. 13-14).

The combination does not explicitly teach wherein the requests are processed in batch mode. However, in an analogous art, Joseph teaches wherein requests are processed in batch mode (*see Joseph Col. 7 lines 4-11*). It would have been obvious to one of ordinary skill in the art at the time of invention to batch process the data because it would save processing time which would result in saving money.

2nd Rejection of Independent Claims 1, 9, and 16

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (US. Pub. No. 2002/0055878) in view of Klatt (US. Pat. No. 6,415,277) in further view of Alvin (US 7,139,731) and in further view of McFeely (US 2002/0184237).**

Referring to claim 1, Burton teaches a system for maintaining item requests, comprising:

- at least one computer device (*see Burton Fig. 1-3*) comprising:
 - a queue system for inserting any failed requests into a failed request queue (*see Burton Fig. 81; ¶0456 lines 1-5, 17-20, orders that are problematic are inserted into an attention item list*);
 - a view presentation system for presenting an administrator with a view of the failed request queue, the view including an identification of a request that failed and a reason for the failure (*see Burton Fig. 81, ¶0367, and ¶0456, the system displays the attention items 4112 to the user using HTTP and HTML*);
 - a data presentation system for displaying data, distinct from the failed request queue (*see Burton Fig. 86 and ¶0456, the system also displays attention items which are not problematic*), corresponding to user-initiated item requests to an administrator (*see Burton Figs. 81, 86*), wherein the data presentation system accesses a set of tables to obtain the data (*see Burton ¶0456*), and wherein the set of tables includes a party table that identifies suppliers suggested by users issuing the user-initiated item requests for fulfilling the user-initiated item requests, the displayed data including at least one identified supplier (*see Burton Figs. 81, 86, the supplier is the restaurant selected by the user*);

- a data edit system for allowing the administrator to edit the data corresponding to the user-initiated item requests (*see Burton ¶0138, lines 5-8*);

Burton does not explicitly disclose where the requests could also be system-initiated requests. However, Klatt does (*see Klatt Abstract lines 1-5; Figs. 13-14*). It would have been obvious to combine these methods at the time of invention because enabling the system for maintaining item requests to also handle system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

While the combination teaches inserting problematic (failed) orders (requests) into a list of attention items (a failed request queue), the combination does not explicitly teach why the orders are problematic. Specifically, the combination does not teach wherein these failed requests failed due to an error in processing of the order. However, in an analogous art, Alvin teaches this (*see Alvin Col. 10 lines 48-56*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would reduce errors and save time and money. Specifically, flagging errors at all stages of the order processing will enable pinpointing why something failed and allow for corrective action to prevent such errors in the future, thus saving time and money.

The Examiner finds that the descriptive material recited in the limitation "the view including an identification of a request that failed and a reason for the failure" is non-functional and does not distinguish the claimed invention over the prior art. The data comprising "an identification of a request that failed and a reason for the failure" does

not in any way functionally affect the claimed steps of “presenting a view” and the prior art of Burton and Klatt are capable of meeting this limitation. *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994), MPEP 2016.01.

The combination further teaches wherein the view of the failed request queue and the data are presented to the administrator in views within a single window without opening multiple windows (*see Burton Figs. 81, 86; see ¶0456 lines 1-5, 17-20*). The combination does not explicitly teach wherein the failed request queue and the data are presented separately in separate views. However, in an analogous art, McFeely teaches wherein the failed request queue and the data are presented separately in separate views (*see McFeely Figs. 3, 6, and ¶0062, the system displays the “alerts” portion separate from the other portions, wherein each portion is accessible in the same browser window through separate tabs*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would increase efficiently. Specifically, separating the failed request queue (alerts) from the other data will permit the administrator to quickly access the failed requests instead of sorting through the failed requests from non-failed requests.

Referring to claim 16, Burton teaches a program product stored on a non-transitory computer readable medium for maintaining item requests, which when executed comprises, comprising:

- program code for inserting any failed system-initiated item requests into a failed request queue (*see Burton Fig. 81; ¶0456 lines 1-5, 17-20, orders that are problematic are inserted into an attention item list*);

- program code for presenting an administrator with a view of the failed request queue, the view including an identification of a request that failed and a reason for the failure (*see Burton Fig. 81, ¶0367, and ¶0456, the system displays the attention items 4112 to the user using HTTP and HTML*);
- program code for displaying data, distinct from the failed request queue (*see Burton Fig. 86 and ¶0456, the system also displays attention items which are not problematic*), corresponding to user-initiated item requests to an administrator (*see Burton Figs. 81, 86*), wherein the program code for displaying accesses a set of tables to obtain the data (*see Burton ¶0456*), and wherein the set of tables includes a party table that identifies suppliers suggested by users issuing the user-initiated item requests for fulfilling the user-initiated item requests, the displayed data including at least one identified supplier (*see Burton Figs. 81, 86, the supplier is the restaurant selected by the user*);
- program code for allowing the administrator to edit the data corresponding to the system-initiated item requests and the user-initiated item requests (*see Burton ¶0138, lines 5-8*);

Burton does not explicitly disclose where the requests could also be system-initiated requests. However, Klatt does (*see Klatt Abstract lines 1-5; Figs. 13-14*). It would have been obvious to combine these methods at the time of invention because enabling the system for maintaining item requests to also handle system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

The combination further teaches wherein the view of the failed request queue and the data are presented to the administrator in views within a single window without opening multiple windows (*see Burton Figs. 81, 86; see ¶0456 lines 1-5, 17-20*). The combination does not explicitly teach wherein the failed request queue and the data are presented separately in separate views. However, in an analogous art, McFeely teaches wherein the failed request queue and the data are presented separately in separate views (*see McFeely Figs. 3, 6, and ¶0062, the system displays the "alerts" portion separate from the other portions, wherein each portion is accessible in the same browser window through separate tabs*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would increase efficiently. Specifically, separating the failed request queue (alerts) from the other data will permit the administrator to quickly access the failed requests instead of sorting through the failed requests from non-failed requests.

While the combination teaches inserting problematic (failed) orders (requests) into a list of attention items (a failed request queue), the combination does not explicitly teach why the orders are problematic. Specifically, the combination does not teach wherein these failed requests failed due to an error in processing of the order. However, in an analogous art, Alvin teaches this (*see Alvin Col. 10 lines 48-56*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would reduce errors and save time and money. Specifically, flagging errors at all stages of the order processing will enable pinpointing why

something failed and allow for corrective action to prevent such errors in the future, thus saving time and money.

The Examiner finds that the descriptive material recited in the limitation "the view including an identification of a request that failed and a reason for the failure" is non-functional and does not distinguish the claimed invention over the prior art. The data comprising "an identification of a request that failed and a reason for the failure" does not in any way functionally affect the claimed steps of "presenting a view" and the prior art of Burton and Klatt are capable of meeting this limitation *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994). MPEP 2016.01.

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (US. Pub. No. 2002/0055878) in view of Klatt (US. Pat. No. 6,415,277) in further view of Joseph (US 6,606,603) in further view of Alvin (US 7,139,731) and in further view of McFeely (US 2002/0184237).

Referring to claim 9, Burton teaches a method for maintaining item requests, comprising:

- receiving a user-initiated item request (*see Burton ¶0133*), wherein the user-initiated item request identifies a supplier for fulfilling the user-initiated item request (*see Burton ¶0133 line 6*);

Burton does not explicitly disclose where the requests may also be system-initiated requests. However, Klatt does (*see Klatt Abstract lines 1-5; Figs. 13-14*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these methods because enabling the system for maintaining item requests to also handle

system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

The combination further teaches:

- processing the user-initiated item request and the system-initiated request (*see Burton Fig. 4 items 168, 170, 184*), wherein the system-initiated item request is processed differently from user-initiated item requests (*see Burton Fig. 4 item 168 which is different from Klatt Fig. 13-14*);
- inserting the system-initiated item request into a failed request queue if the processing of the system-initiated item request fails (*see Burton Fig. 81; ¶0456 lines 1-5, 17-20, orders that are problematic are inserted into an attention item list*);
- presenting an administrator with a view of the failed request queue upon request, the view including an identification of a system-initiated request that failed and a reason for the failure (*see Burton Fig. 81, ¶0367, and ¶0456, the system displays the attention items 4112 to the user using HTTP and HTML*);
- accessing a set of tables to display data, distinct from the failed request queue (*see Burton Fig. 86 and ¶0456, the system also displays attention items which are not problematic*), corresponding to the system-initiated item request and user-initiated item request to the administrator (*see Burton Figs. 81, 86*), wherein the set of tables accessed includes a party table that identifies the supplier, the displayed data including at least one identified

supplier (*see Burton Figs. 81, 86, the supplier is the restaurant selected by the user*);

The combination does not explicitly teach wherein the requests are processed in batch mode. However, in an analogous art, Joseph teaches wherein requests are processed in batch mode (*see Joseph Col. 7 lines 4-11*). It would have been obvious to one of ordinary skill in the art at the time of invention to batch process the data because it would save processing time which would result in saving money.

While the combination teaches inserting problematic (failed) orders (requests) into a list of attention items (a failed request queue), the combination does not explicitly teach why the orders are problematic. Specifically, the combination does not teach wherein these failed requests failed due to an error in processing of the order. However, in an analogous art, Alvin teaches this (*see Alvin Col. 10 lines 48-56*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would reduce errors and save time and money. Specifically, flagging errors at all stages of the order processing will enable pinpointing why something failed and allow for corrective action to prevent such errors in the future, thus saving time and money.

The Examiner finds that the descriptive material recited in the limitation "the view including an identification of a request that failed and a reason for the failure" is non-functional and does not distinguish the claimed invention over the prior art. The data comprising "an identification of a request that failed and a reason for the failure" does not in any way functionally affect the claimed steps of "presenting a view" and the prior

art of Burton and Klatt are capable of meeting this limitation In re Ngai, 70 USPQ2d (Fed. Cir. 2004), In re Lowry, 32 USPQ2d 1031 (Fed. Cir. 1994). MPEP 2016.01.

The combination further teaches wherein the view of the failed request queue and the data are presented to the administrator in views within a single window without opening multiple windows (*see Burton Figs. 81, 86; see ¶0456 lines 1-5, 17-20*). The combination does not explicitly teach wherein the failed request queue and the data are presented separately in separate views. However, in an analogous art, McFeely teaches wherein the failed request queue and the data are presented separately in separate views (*see McFeely Figs. 3, 6, and ¶0062, the system displays the "alerts" portion separate from the other portions, wherein each portion is accessible in the same browser window through separate tabs*). It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references because it would increase efficiently. Specifically, separating the failed request queue (alerts) from the other data will permit the administrator to quickly access the failed requests instead of sorting through the failed requests from non-failed requests.

Response to Arguments

11. Rejection Under 35 U.S.C. 101

The rejections under this section have been withdrawn because the applicant has amended the claims and successfully overcome the rejection.

12. Rejection Over Prior Art

- a. Applicant's arguments with respect to claim 1, 9, and 16 have been considered but are moot in view of the new ground(s) of rejection.
- b. Applicant respectfully argues that while Joseph may teach batch processing user orders it does not teach batch processing system orders.

The Examiner respectfully disagrees. The prior art of Joseph has not been introduced to teach batch processing of a specific type of orders, but rather the batch processing of orders in general—whether they were initiated by the system or by a user. Also, while the Applicant has argued that the batch processing of system-initiated orders is not obvious, the Applicant has not set forth any reasoning or rationale to support this argument.

13. Additional Remarks

The Examiner would be more than willing to have a phone interview with the attorney of record discuss further clarifying the language of the present invention. For example, the claims discuss user initiated requests and system initiated requests but merely distinguishes them by stating that they are "different". In the specification, paragraph [0006] states that a system initiated request could arise due to "lack of supplier/approver" or a "data level error within the request". These are great limitations, yet they are not present in the claims. Also, as this is only one of the first paragraphs, there may be other great limitations to bring into the claims which can be discussed in an interview.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW ZIMMERMAN whose telephone number is (571)270-5278. The examiner can normally be reached on Mon-Thu 7:00am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MATTHEW ZIMMERMAN
Examiner, Art Unit 3625

/Yogesh C Garg/
Primary Examiner, Art Unit 3625